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FOR: HEALTH CARE FINANCING ADMINISTRATION  SECURITY ACT (MEDICAID)  Medicaid  TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES  TYPE OF PLAN MATERIAL (Check One):  NEW STATE PLAN  AMENDMENT TO BE CONSIDERED AS NEW PLAN  COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)  TOMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)  FEDERAL STATUTE/REGULATION CITATION:  PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:  Attachment 4.19A&B, Psge 6  Attachment 4.19A&B, Psge 6  TO SUBJECT OF AMENDMENT:  Change the method for determining the estimated acquisition cost used to reimburse pharmacies for the drug portion of prescriptions for Medicaid recipients.  TO SUBJECT OF AMENDMENT:  Change the method for determining the estimated acquisition cost used to reimburse pharmacies for the drug portion of prescriptions for Medicaid recipients.  TO SUBJECT OF AMENDMENT:  Change the method for determining the estimated acquisition cost used to reimburse pharmacies for the drug portion of prescriptions for Medicaid recipients.  TO OTHER AS SPECIFIED:  Susan J. Tucker, Executive Director Office of Health Services  Susan J. Tucker, Executive Director Office of Health Services  TO SUSAN J. Tucker, Executive Director DHMH - OHS  201 W. Preston St., Ste 124  Baltimore, MD 21201	TION
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Attachment 4.19 A & B Page 6

- (a) The Estimated Acquisition Cost (EAC) which is the lowest price of a drug product as determined by the following criteria;
  - (i) Wholesale Acquisition cost (WAC) plus eight percent;
  - (ii) Direct price plus eight percent;
  - (iii) Distributor's price plus eight percent; or
  - (iv) Average Wholesale Price (AWP) less twelve percent
- (b) Federal Generic Upper Limit (FGUL) which is the upper limit of payment for a multiple source drug for which a specific maximum allowable cost has been established by the Center for Medicare and Medicaid Services (CMS) of the Department of Health and Human Services;
- (2) For all other prescribed drugs, and schedule V cough preparations, the allowable cost shall be the EAC established by the Department, as described in (b) above.
- (3) Not withstanding the provisions of (1) above, when a prescriber certifies in his own handwriting that, in his

## FEDSRAL REGULATION CITATIONS:

Attachment 2.2 A

42 CFR 435.10

Attachment 2.6 A 42 CFR Part 435, Section 435.10 and Subparts G & H AT-78-90, AT-80-6, AT-80-34 1902(1) and (m) of the Act, P.L. 99-509 (Secs. 9401 and 9402), 1902(1) and (m) and 1920 of the Act, P.L. 99-509 (Secs. 9401, 9402, and 9407)

Attachment 3.1 A Part 400, Subpart B and 1902(e)(5), 1905(a)(18) through (20), and 1920 of the Act, P.L. 99-272 (sections 8501, 9505 and 9526) and 1902(a), 1902(a)(47), 1902(e)(7) through (9), and 1920 of the Act, P.L. 99-509 (sections 9401(d), 9403, 9406 through 9408) and P.L. 99-514 (section 1895(c)(3))

Attachment 1.1 B

42 CFR Part 440, Subpart B, 42 CFR 441.15, 27-75-90, AT-80-34

Attachment J.1 C

42 CFR 431.53, AT-78-90

Attachaeat 3.1 P

1905(a)(24) and 1930 of the Act, P.L. 101-508 (Section 4712 OBRA 90)

Attachment 4.18 A

417.51 through 417.58

Attachaest 4.18 C

447.51 through 447.58

Attachment 4.19 A & B

(a) 42 CPR 447.252, 46 PR 44964. 48 PR 56045, 50 PR 23009, 1902(e)(7) of the Act, P.L. 99-509 (section 9401(d))

(b) 42 CFR 447.201, 42 CFR 447.302, AT-78-30, AT-80-34, 1903(a)(1) and (n) and 1920 of the Act, P.L. 99-509 (Section 9403, 9406 and 9407), 52 FR 28648

Attachment 4.16

42 CZZ 431.615(c) AT-78-90

Attachment 4.19 D

[d] 42 CZZ 447.252, 47 F2 47964, 48 F2 56046, 42 CZR 447.280, 47 FR 31518, 52 FZ 24141

Attachment 4.22 A

(a) 433.137(a), 50 22 46652, 55 2R 1423

Attachment (.22 B

(b) 423.138(f), 52 FR 5967, 433.138(g)(1)(ii) and (2)(ii), 52 FR 5967, 433.133(g)(3)(i) and (iii), 52 FR 5967, 433.135(h)(4)(i) through (iii), 52 FR 5967

Attachment 4.22 C

Section 1906 of the Act

Attachment 4.26

1927(q) 42 CFR 456.700. 1927(q)(1)(A), 1927(q)(1)(A) 42 CFR 456.705(b) and
456.709(b), 1927(q)(1)(B) 42 CFR 456.703(d) and (f), 1927(q)(1)(D) 42 CFR 456.703(b), 1927(q)(2)(A)(1) 42 CFR
456.705(b), 1927(q)(2)(A)(1) 42 CFR 456.705(b), 1927(q)(2)(A)(1) 42 CFR 456.705(b), (1)-(7), 1927(q)(2)(A)(1)
42 CFR 456.705(c) and (d), 1927(q)(2)(B) 42 CFR 456.705(a), 1927(q)(2)(C) 42 CFR 456.705(b), 1927(q)(2)(D) 42
CFR 456.711, 1927(q)(3)(A) 42 CFR 456.716(a), 1527(q)(3)(B) 42 CFR 456.716 (A) and (B), 1927(q)(3)(C) 42 CFR
456.716(d)1927(q)(3)(C) 42 CFR 456.711 (a)-(d), 1927(q)(3)(D) 42 CFR 456.712 (A) and (B), 1927(b)(1) 42 CFR
456.722, 1927(q)(2)(A)(1) 42 CFR 456.705(b), 1927(j)(2) 42 CFR 456.703(c)

Attachment 4.32 A

(a) 435.940 through 435.960, 52 72 5967

Ail. Freecosts

(a) 1902(a)(48) of the Act. P.L. 99-570 (Section 11005), P.L. 100-95 (Section 5(a)(3))

Attechment 4.35 A

(a) [319(b)(1) and (2) of the Act, P.L. 100-103 (Section 4212(a))

Attachment 4.35 B

(b) Size is ibove